

The background of the entire page is a close-up, slightly blurred image of the American flag, showing the stars and stripes in a draped, wavy pattern. The colors are vibrant, with deep reds, bright whites, and a rich blue.

ILLINOIS NATIONAL GUARD


TPP 904-3
Employment
and Pay

SUPERVISOR'S HANDBOOK

This supersedes Technician Personnel Plan 904, dated 1 October 1996, Chapter 3 Employment, and Chapter 5 Part II Pay.

Users of this publication are invited to send comments and suggested improvements, through command channels, to The Adjutant General of Illinois, ATTN: HRO, 1301 N. MacArthur Blvd, Springfield, Illinois 62702-2399

FOR THE ADJUTANT GENERAL:


GARY L. BRINNER
Col, IL ANG
Human Resource Officer

Contents

EMPLOYMENT AND PAY

SECTION:	PARA.	PAGE
PART I Excepted Service		
General	1-1	1
Excepted Positions	1-2	1
Technician/Military Compatibility	1-3	1
Wear of the Military Uniform	1-4	1
Veteran's Preference	1-5	2
Medical Qualification Requirements	1-6	2
Trial Period	1-7	2
PART II Competitive Service		
Competitive Positions	2-1	4
Career-Conditional Employees	2-2	4
Career Employees	2-3	4
Probationary Period	2-4	4
PART III General Employment Information		
Detail	3-1	5
Time-In-Grade Restrictions	3-2	5
Selective Placement Programs	3-3	5
Employment of Relatives	3-4	5
Position Management	3-5	6
Temporary Employment	3-6	6
Recruitment and Selection	3-7	7
Qualification Requirements	3-8	7
Part-Time Employment	3-9	7
Reduction-In-Force	3-10	8
Reemployment Rights	3-11	8
PART IV Pay		
General	4-1	11
General Schedule	4-2	11
Federal Wage System (Wage Grade)	4-3	12
Grade Retention	4-4	14
Pay Retention	4-5	14
Highest Previous Rate Rule	4-6	15
Severance Pay	4-7	16

Part I Excepted Service

1-1 GENERAL: This chapter covers the various aspects of employment in the National Guard technician program. The unique aspects with respect to military technicians as well as competitive technicians are addressed.

1-2 EXCEPTED POSITIONS: Military technicians are considered part of the excepted service. This category is established in the United States Code and Code of Federal Regulations to recognize special requirements created by statute or Executive Order. Excepted appointments do not meet the same requirements as competitive appointments; nor does an excepted appointee automatically acquire competitive status. In the National Guard, the chief characteristic for excepted appointments is the requirement for military membership. In essence, military technicians must meet all job qualifications and military assignment requirements prior to, or simultaneous with placement actions.

1-3 TECHNICIAN/MILITARY COMPATIBILITY:

a. The concept of the National Guard technician program is that all military technicians who are required to be members of the National Guard will be assigned to a military skill that is compatible with their full-time technician job and have a military assignment in the same unit by which employed (or a unit that is supported by the employing activity). This military assignment requirement is intended to ensure that there is a highly skilled and trained cadre available when units are mobilized and to provide continuity of operation before, during, and after mobilization. The technician also provides that specialized training capability necessary to train other Guard members. Unless specifically approved by NGB/The Adjutant General of Illinois, military technicians will be assigned in accordance with this policy and current compatibility criteria published by NGB. Because of the distinct military nature of the technician program, certain specific restrictions concerning military assignment apply.

b. Unless otherwise excepted, all technicians must continue to maintain proper military membership (to include grade and branch of service) for the position occupied.

c. Situations of inversion of military rank are not permitted; i.e., a military technician may not be militarily senior to his or her full-time supervisor.

1-4 WEAR OF THE MILITARY UNIFORM: An inherent aspect of technician/military compatibility is the proper wear of the military uniform. Military technicians will wear the military uniform appropriate to their service and Federally recognized grade when performing technician duties and while attending courses of instruction at military service schools at the Professional Education Center, Camp Robinson, North Little Rock, Arkansas, and at courses conducted at any IL Army and Air National Guard facility. In addition, technicians attending employee orientations and retirement counseling sessions are also required to wear the military uniform if they are in a duty status. The only exception is retiree applicants who are no longer members of the IL Army or Air National Guard. They will comply with the standards contained in the appropriate regulations pertaining to grooming and wearing of the military uniform (AR 670-1 and AFI 36-2903). Official time will not be used for changing to or from the military uniform at the work site. These provisions apply to all technicians required to be members of the National Guard as a condition of employment. The following situations have been determined to be inappropriate for wearing of the military uniform:

a. Travel by commercial or private transportation while in an official travel status.

b. While attending courses of instruction, in a military technician status, at locations other than military installations.

c. Labor organization representatives engaged in labor agreement negotiations.

d. Participation as data collectors during the conduct of Federal Wage System surveys.

e. While serving as NGB hearing examiners.

NOTE: Competitive technicians may, if otherwise eligible, wear the appropriate military uniform while performing technician duties. Wearing of the military uniform may not be made a condition of employment for competitive technicians. When wearing the military uniform, competitive technicians will comply with the uniform and grooming standards of the appropriate service.

1-5 VETERAN'S PREFERENCE: The National Guard Technician Act specifically excludes the use of veteran's preference for appointments made under 32 USC 709. This applies also to appointments of competitive technicians.

1-6 MEDICAL QUALIFICATION REQUIREMENTS: Military technicians must be medically qualified for National Guard membership. They must also meet medical requirements relating to their technician position and their compatible MOS/AFSC.

1-7 TRIAL PERIOD:

a. When a person comes to work as a permanent military technician, he or she will serve a 1-year trial period. The purpose of the trial period is to provide management reasonable time to observe a new technician's overall performance on the job. Military technicians serve only one trial period and it must be for 12 consecutive months in the same type of work and in the same appointing authority (Adjutant General of Illinois). For example, a technician who works 6 months in another state and transfers to the Illinois National Guard technician program must begin a new 12 month trial period. Likewise, a technician serves only one trial period in his or her career.

b. The following service is creditable, providing it meets the above criteria:

(1) Nonpermanent appointments that immediately precede an excepted appointment.

(2) Career or career conditional appointments that immediately precede an excepted appointment.

(3) Periods of LWOP for 30 days or less which interrupt other qualifying service.

c. During the trial period any removal must be preceded by a written notice. The notice must state the conclusions on the inadequacies of the technician's performance or conduct, but does not need to include complete and specific reasons.

(1) Removal actions must be completed within the trial period.

(2) The trial period is to be extended on a day-for-day basis in those instances where LWOP (other than for military duty) exceeds 30 calendar days.

(3) TPR 752 does not apply to the removal of personnel serving a trial period.

(4) The technician is given no right to appeal.

(5) All notices of removal require the approval of the HRO.

Part II Competitive Service

2-1 COMPETITIVE POSITIONS: The National Guard Bureau designates certain technician positions as either competitive or excepted service. Competitive technicians acquire their status in a manner similar to other Federal employees. OPM must certify an individual's eligibility and qualifications. Persons initially hired as competitive technicians are normally selected from OPM registers. The HRO issues specific instructions and guidance with respect to administering registers whenever a selecting official desires to fill a vacancy with a competitive employee.

2-2 CAREER-CONDITIONAL EMPLOYEES: This type of appointment marks the first 3 years of a competitive technician's employment in the Federal service. This is served once in an individual's career and is designed to prove the employee's interest in the Federal service as a career employee. Additionally, the ability or desire of the government to retain the employee is demonstrated. This 3 year period must be served in a substantially continuous basis. The CFR and USC provides certain exceptions to this continuous service requirement. If a supervisor has a question in this area, he or she should contact the HRO for further guidance.

2-3 CAREER EMPLOYEES: After completing 3 years of continuous Federal employment, competitive technicians are normally converted to career status. This status provides the technician with certain "super tenure" as compared to career-conditional employees. It is usually easier for career employees to compete for other jobs in Federal Agencies once they attain this status.

2-4 PROBATIONARY PERIOD:

a. In the competitive service, employees are required to serve a probationary period (this is different than the career-conditional period). Any career or career-conditional employee selected from a certificate of eligibles (register) is required to serve a probationary period of one year. This applies not only to the first appointment of this kind, but to any subsequent career or career-conditional appointment from a certificate of eligibles, regardless of whether the appointee had previously completed a probationary period. In instances when a competitive technician is reinstated, he or she is required to serve a new probationary period of one year beginning on the date of reinstatement unless, during any period of service which affords a current basis for reinstatement, the employee either completed a probationary period or served with competitive status under an appointment which did not require service of a probationary period. The probationary period in the Federal government is viewed principally as a final extension of the OPM examination process. Supervisors should consult the HRO prior to making selections so that a proper determination of probationary status can be made.

b. The United States Code and Code of Federal Regulations sets forth specific guidelines with respect to the separation of probationers. This action may be based upon deficiency in duty performance, lack of aptitude or cooperativeness, or undesirable suitability characteristics evidenced by their activities either during or outside official working hours. Like military technicians, competitive technicians serving a probationary period may be separated for unsatisfactory conduct or performance. It should be noted that competitive technicians do not acquire their "competitive status" until they complete their probationary period.

c. Once the determination is made that a career-conditional or career employee must serve a probationary period, the HRO will notify the individual, in writing, through supervisory channels. Normally, the selecting official will advise a candidate of this requirement at the time of selection.

Part III General Employment Information

3-1 DETAIL: A detail is the temporary assignment of a technician to a different position for a specified period, with the technician returning to his regular duties at the end of the detail. A technician's rate of pay does not change on a detail and he or she may be detailed to the same, lower or higher graded position. Technically, a position is not filled by a detail, as the technician continues to be the incumbent of the position from which detailed. Technicians may not be detailed for at least three months after appointment except for an emergency detail of 30 days or less. Details are generally confined to an initial period of 120 days. This area is addressed further in TPP 335, Illinois National Guard Merit Promotion and Placement Plan. Processing of details is in accordance with TPP 904-2.

3-2 TIME-IN-GRADE RESTRICTIONS:

a. OPM regulations require competitive technicians complete certain time-in-grade requirements before being promoted to the next higher grade. Candidates for advancement to the grade of GS-6 and above must complete one year of service at the next lower grade before being promoted (Since some positions are in two grade intervals, they require one year at the next lower appropriate grade). For advancement to GS-5 or below, the following applies.

(1) The position is no more than two grades above the lowest grade level they held within the preceding year under nontemporary appointment; or

(2) They met the above restriction for advancement to the grade of the position to be filled at any time in the past; or

(3) They previously held a position at or above the grade level of the position to be filled at any time under any type of appointment. (This provision is subject, however, to the limitation of certain career or career-conditional employees with prior service.) The number of advancements an employee may receive, and the number of grades they may be advanced, are not limited so long as one of the above terms are met at the time of each advancement.

b. The time-in-grade restrictions described in paragraph a do not apply to military technicians.

3-3 SELECTIVE PLACEMENT PROGRAMS: Selective placement programs are designed to hire, place and advance handicapped persons, disabled veterans, and rehabilitated offenders. Because of military membership and military physical and security requirements may prohibit employment as military technicians; most placement actions will be made to competitive positions. The HRO (Equal Employment Office) is responsible for developing programs in this area.

3-4 EMPLOYMENT OF RELATIVES:

a. OPM and NGB regulations place certain restrictions on the employment of relatives. There is a potential violation of Federal statutes when a supervisory/subordinate relationship exists or in any other situation where a public official exercises jurisdiction or control over a relative.

b. The term "relative" includes father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, spouse (husband, wife), father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, stepbrother, stepsister, half brother or half sister.

c. NGB regulations allow for employment of a relative so long as the supervisory official delegates his or her personal authority to another official. This authority may be delegated to a higher or lower level, must be in writing and placed in each individual's Official Personnel Folder (OPF). This delegation must include approval and review of a wide variety of personnel actions such as performance appraisals, within grade increase determinations, incentive awards, etc. The general rule regarding these delegations should be viewed with respect to actions related to pay or affecting pay.

3-5 POSITION MANAGEMENT: Position management is the program for creating, establishing, funding, and abolishing a position whether necessary or unnecessary for mission accomplishment in the Illinois National Guard. TPP 312, Illinois National Guard Position Management Plan, provides specific guidance and policy with respect to this program.

3-6 TEMPORARY EMPLOYMENT:

a. Temporary employment is the means by which the Illinois National Guard meets valid, temporary requirements necessary for mission accomplishment. Temporary appointments to military technician positions may be made without competition for up to one year, and with competition for a total of four years. All temporary appointments under this authority must meet the following additional requirements:

- (1) Must be members of the Illinois National Guard.
- (2) Must meet all military membership requirements.
- (3) Must meet compatibility requirements if appointment lasts two years or longer.
- (4) Must meet the qualification standards established for the position.
- (5) Be assigned to a valid Support Personnel Manning Document (SPMD) vacancy unless otherwise approved by the HRO.

b. Competitive technicians may also be appointed to temporary positions. Normally, OPM must certify a register of eligibles. With OPM approval, the HRO may be allowed to do local recruiting if an insufficient number of applicants are available.

c. In unusual or emergency situations (such as during a time of war), the Illinois National Guard may employ temporaries, either military or competitive, under the 30 day special needs authority. The program should only be used in valid emergency situations. An individual appointed under this authority may be extended for an additional 30 days if circumstances warrant. Any person employed under this type of appointment may serve no more than 60 days in any 12 consecutive months.

d. Temporary limited appointment may be extended in increments of up to one year for a total of four years. These extensions must be approved by the HRO. Extensions beyond four years require approval of the National Guard Bureau.

e. If an appointment is expected to last longer than one year, a temporary-indefinite appointment should be used. The competitive procedures indicated in TPP 335 also apply to this type of temporary appointment. Persons appointed with indefinite status:

- (1) Must meet all military membership and compatibility requirements.
- (2) Must meet the qualification standards established for the position.
- (3) Do not acquire permanent status.
- (4) Do not serve a trial period.
- (5) May be separated when their services are no longer needed. All separations must be preceded by a 30-day advance notice. The provisions of TPR 752 do not apply.
- (6) Are in tenure group three for reduction-in-force purposes.
- (7) May be promoted, changed to lower grade, or reassigned to other positions with indefinite status.

f. Administrative instructions for processing any type temporary employment action are contained in TPP 904-2.

NOTE: Competitive technicians may be appointed under TERM appointment.

3-7 RECRUITMENT AND SELECTION: A basic principle of any merit system is merit promotion and placement. This is a key element to personnel, which is fair and equal while providing the Illinois National Guard with the highest quality full-time workforce. TP Plan 335, Illinois National Guard Merit Promotion and Placement Program, provides specific guidance for all recruitment and placement actions. Also included are procedures with respect to temporary promotions.

3-8 QUALIFICATIONS REQUIREMENTS:

a. Military technicians are required to meet both the job and military qualifications of their position. Basically, job qualifications include those knowledge, skills and abilities (KSAs) necessary to accomplish the duties of a position. The National Guard Bureau established the general experience requirements and the amount of time (months and years) required for specialized experience. The National Guard Bureau develops KSAs for each position. The supervisor of a position, in cooperation with the Human Resource Office, may develop replacement KSAs, so long as supervisors of the same position description agree that they are appropriate. In order to insure merit and objectivity the KSAs remain essentially the same unless a major change occurs in the position description. The qualification requirements for each occupation series are maintained by the HRO in the Handbook for Excepted Service Positions. Credit plans are simply a description of types of experience, training and education, which is applied toward determining the various levels of qualification.

b. Competitive technicians are required to meet the qualification requirements outlined in the Qualification Standards. The Office of Personnel Management established these qualification requirements. The HRO and in some instances Air Bases maintain this book.

c. Both handbooks are available for review by supervisors, managers and technicians.

3-9 PART-TIME EMPLOYMENT:

a. Public Law 95-437, the Federal Employees Part-Time Career Employment Act of 1978, requires agencies to develop part-time employment programs. Part-time employment is regularly scheduled work between 16 and 32 hours per week performed by either excepted or competitive technicians. Part-time technicians

may be employed in either a permanent or temporary status. Since personnel resources are very limited in the National Guard, supervisors and managers should carefully review vacancies when establishing a part-time position. Once a vacancy occurs a selecting official must review the position for feasibility of filling the position on a part-time basis.

b. Positions occupied by full-time technicians may not be abolished in order to create part-time positions, nor shall full-time technicians be required to accept part-time employment as a condition of continued employment. In most instances, part-time positions require restructuring and classification review. Assistance is available from the classification specialist in the Human Resource Office.

c. Permanent technicians may request to be switched from full-time to part-time. This action must be purely voluntary on the part of the technician and have the complete concurrence of management. Supervisors must carefully examine these requests in terms of impact and affect upon mission requirements.

d. Part-time positions are advertised in the same manner as full-time or temporary vacancies. TPP 335 outlines these procedures. The Staffing Specialist in the HRO is the point of contact with respect to the part-time employment program.

e. Reduction-in-force rights to part-time employees are also limited. They may only compete for part-time positions. Additionally, part-time positions are not considered to be valid job offers to full-time technicians participating in a RIF.

f. Permanent part-time technicians will be counted on a fractional basis. For example, a permanent technician with a work schedule of 20 hours per week will count as half technician against the employment ceiling. More than one part-time technician may be assigned against a space, as long as their total work schedule does not exceed 40 hours in a workweek.

g. Administrative instructions for processing part-time personnel actions are contained in TPP 904-2.

3-10 REDUCTION-IN-FORCE: A reduction-in-force occurs when a technician is released from his or her competitive level by separation, change to lower grade, furlough for more than 30 days, or displacement of another technician. Such action may be due to a lack of work or funds, reorganization, transfer of function, or the need to make room for a technician exercising restoration rights. TPR 351 contains the specific regulatory and procedural requirements for reduction-in-force.

3-11 REEMPLOYMENT RIGHTS:

a. Employees who enter on military duty or sustain a compensable job-related injury or disability, have certain rights to return to employment, that when restored, their employment status is the same as if they had never left their employment, and that employees who perform certain types of military duty are not to be discharged within certain periods after restoration, except for cause.

b. National Guard technicians who enter on full-time military duty (10 U.S.C. or 32 U.S.C.), are entitled to restoration IAW the Uniform Services Employment and Reemployment Rights Act (USERRA PL 103-353) as long as the military duty does not exceed a total of 5 years; the entitlement period begins on the first day of continuous full-time military duty, not for training purposes. The period of restoration may be extended when the President is

authorized to order units of Ready Reserve of members of a Reserve component to active duty.

c. A technician serving on active duty has certain entitlements with respect to on-going personnel actions which may affect his or her career. One example is the entitlement to consideration for promotion opportunities during his or her absence. In the case of technicians currently serving on AGR tours in the Illinois National Guard, automatic consideration is not necessary. Since vacancies are announced statewide, AGR personnel desiring to compete as technicians must apply for vacancies in accordance with TPP 335.

d. Employees who were separated or placed in a non-duty, non-pay status as a result of sustaining a compensable injury, are entitled to restoration as follows:

(1) If an employee has fully recovered within one year after the date compensation begins (or from the time compensable disability recurs if the recurrence begins after the employee resumes regular full-time employment with the U.S. Government) the employee is entitled to resume his or her former, or an equivalent, position. The Illinois National Guard is required to restore the employee unless they were separated because of reduction in force, for cause, or for other reasons unrelated to the injury.

(2) If an employee has partially recovered from the injury or disability within one year after the date compensation begins and is able to return to limited duty, the Illinois National Guard must make every effort to restore them to an appropriate position consistent with the circumstances in each case. If the Illinois National Guard finds that it cannot restore the employee, it shall notify the employee of the reasons and of the right to appeal the decision.

(3) If an employee's recovery takes longer than one year from the date compensation begins, the Illinois National Guard must make all reasonable efforts to place, and must accord priority to placing the employee in his or her former, or an equivalent, position.

(4) If, because of compensable injury, an employee is disqualified for the position he or she held or a comparable one, he or she is entitled, within one year of the date he or she began receiving compensation, to be restored to another position for which qualified.

NOTE: The one-year period referred to in this section means one year from the date compensation would ordinarily begin. For example, if the employee fully recovers, but the Department of Labor has still not determined if the claim is compensable, the agency should generally accord the employee the rights specified herein pending the Department's determination. The Illinois National Guard may make an exception to this policy if they are controverting an employee's claim. However, if the Department of Labor decides that the claim is compensable the Illinois National Guard must, at that point, accord the employee their restoration rights provided the employee applied for restoration within the period provided in this chapter.

e. In order to protect the rights of returning National Guard technicians, the following order of placement efforts will be followed. Technicians will be placed in:

- (a) The position they left if available AND vacant, or;
- (b) A vacant position of like grade or pay in the same commuting area, or;

(c) A vacant position of like grade or pay outside the commuting area, UNLESS the technician voluntarily accepts placement to a vacant position within the commuting area that is no more than two grades lower than the one he or she left, or;

(d) A vacant position that most closely approximates (no more than two grades below) the position the technician left which is within the commuting area, or;

(e) Restore as in d above outside the commuting area.

(f) If a placement cannot be made as outlined above, then reduction-in-force action will be necessary. Restoration entitlements are limited only to the State from which the technician was employed. For example, an Illinois National Guard technician entering active duty does not incur restoration rights to a like position in another state or in any other Federal agency. Additionally, individuals on active duty with restoration rights who fail to meet the military physical requirements of continued employment will be restored and then separated from technician employment in accordance with TPR 715. If the Illinois National Guard is unable to restore a technician, the HRO will advise the individual, in writing, and inform the technician of their appeal rights.

Part IV Pay

4-1 GENERAL: National Guard Technicians are paid under the General Schedule (GS) or Federal Wage (WS, WL or WG) pay systems as prescribed by Office of Personnel Management (OPM) under 5 USC 5304; 5306; 5331-5338; 5363 and 5 CFR Part 531 for General Schedule and 5 USC Chapter 53, Subchapter IV and 5 CFR Part 532 for Federal Wage System employees. The Human Resource Office (HRO) has the responsibility to establish minimum and maximum rates of pay in accordance with these regulations therefore supervisors must not quote rates of pay to any technician without first consulting with responsible specialist in the Human Resource Office. Since OPM's pay regulations are quite detailed and voluminous, only those items that are of a general nature and that are most needed by supervisors are discussed in this handbook.

4-2 GENERAL SCHEDULE: This paragraph applies to the fixing and adjustment of rate of basic pay of technicians subject to the General Schedule.

a. New appointments to a General Schedule position are made at the minimum step of grade unless the individual is appointed under a Superior Qualifications Appointment. Superior Qualifications Appointments are described in TP PLAN 335-1. Appointments made to positions for which OPM has established a special pay rate schedule as a recruiting and retention tool will also be made at the minimum step of grade. Appointments made to individuals who were previously employed as civilian federal employees may be at a step above the minimum for a grade based on the individual's highest previous rate.

b. Promotion from one grade to a higher grade of the General Schedule entitles the technician to a rate of pay that is no less than the equivalent of two within-grade increase increments of the grade from which promoted or the maximum rate of the higher grade. When the calculated rate falls between two steps of the higher grade, the technician may be paid at the higher step.

c. Within-Grade Increase to the next higher step rate of technician's current grade is granted if:

(1) Serving under appointment that is not time limited not-to-exceed (NTE).

(2) Has a current fully acceptable performance rating on file.

(3) Has not received an equivalent increase (an amount equal to a within-grade increase but not including pay adjustments) during the waiting period, and

(4) Has completed required waiting period as follows:

FROM STEP	TO STEP	WEEKS
1	2	52
2	3	52
3	4	52
4	5	104
5	6	104
6	7	104
7	8	156
8	9	156
9	10	156

d. Effect of LWOP on Within-Grade Increase. Except for LWOP granted for Active or Inactive Military Duty, LWOP is not creditable service for required waiting periods if it exceeds:

80 hours in waiting for steps 2, 3, and 4
160 hours in waiting period for steps 5, 6, and 7
240 hours in waiting period for steps 8, 9, and 10

e. Withholding of Within-Grade Increase. If at time of within-grade increase due date, performance appraisal on file is marginal or unacceptable in one or more critical elements the within grade increase will be withheld or placed on hold until performance improves. (If performance is marginal or unacceptable in one or more critical elements, a Performance Improvement Plan will also be required). Within-Grade Increase will also be withheld if there is not a current performance appraisal on file.

f. Overtime pay for work in excess of 80 hours per pay period is not authorized. National Guard technicians must be given Compensatory Time in lieu of overtime pay.

g. Night Shift Differential. Night work is regularly scheduled work between 1800 and 0600 and includes periods when excused from night work on a holiday and for night hours of their tour of duty while in an official travel status, whether performing actual duty or not. Technician is also entitled to night pay differential for a period of paid leave when the total amount of leave in a pay period, including both nights and day hours, is less than eight (8) hours. Technician is entitled to pay for night work at their rate of basic pay plus night shift differential amounting to 10% of that basic pay.

h. Holiday pay. A technician that performs work on a designated Federal holiday is entitled to pay at the rate of their basic pay plus premium pay at a rate equal to the rate of their basic pay not to exceed eight hours. Technician assigned to work on a holiday is entitled to holiday pay for at least two hours of holiday work.

i. Pay Adjustments for Supervisors. General Schedule supervisors who regularly have responsibility for supervision, including technical aspects of work concerned, over Wage Grade technicians may be paid at one of the rates for his grade which is above the highest rate of basic pay being paid to any such Wage Grade technicians or at the maximum of the General Schedule grade. This is based on the supervisor:

- (1) Occupying a General Schedule position;
- (2) Meeting the definition of a supervisor in 5 USC 7103(a), and

(3) Providing direct, technical supervision over the work of one or more non-supervisory technician employees whose positions are not under the General Schedule and one or more of the subordinates would, in the absence of the differential, be paid more than the supervisory employee. Requests for these types of pay adjustments must be fully justified as meeting the criteria contained in the U. S. Code and the CFRs prior to approval.

j. Hazardous Differential Pay is described in TP Plan 500.

4-3 FEDERAL WAGE SYSTEM (Wage Grade): This paragraph applies to the fixing and adjustment of rate of basic pay of technicians subject to the Federal Wage System.

a. New appointments to a Federal Wage System position are made at the minimum step of grade unless the individual is appointed under a Special Qualifications Appointment. Special Qualifications Appointments are described in TP PLAN 335-1. Appointments made to individuals who were previously

employed as civilian federal employees may be at a step above the minimum for a grade based on the individual's highest previous rate.

b. Promotion from one grade to a higher grade of the Federal Wage System entitles the technician to a rate of pay that is no less than equivalent to their existing rate of pay plus 4% of the representative rate for their current grade, or their highest previous rate, if that rate is higher. If the calculated rate falls between two steps of the higher grade, the technician may be paid at the higher step. When the calculated rate exceeds the maximum rate of the grade to which promoted, the technician will be entitled only to the maximum rate.

c. Within-grade increase to the next higher step rate of current grade is granted if:

(1) Performance in position is satisfactory and a current performance appraisal is on file,

(2) Technician has not received an equivalent increase (an amount equal to a within-grade increase but not including pay adjustments) during waiting period, and

(3) Technician completes waiting period as follows:

FROM STEP	TO STEP	WEEKS
1	2	26
2	3	78
3	4	104
4	5	104

d. Non-Pay Status effecting Within-Grade Increases. Except for the purpose of performing Active or Inactive Military Service, LWOP is not creditable service in the computation of a waiting period as follows:

40 hours in the waiting period for Step 2
120 hours in the waiting period for Step 3
160 hours in the waiting period for Step 4
160 hours in the waiting period for Step 5

e. Withholding of Within-Grade Increase. If at time of within-grade increase due date, performance appraisal on file is marginal or unacceptable in one or more critical elements the within grade increase will be withheld or placed on hold until performance improves. (If performance is marginal or unacceptable in one or more critical elements, a Performance Improvement Plan will also be required). Within-Grade Increase will also be withheld if there is not a current performance appraisal on file.

f. Overtime pay for work in excess of 80 hours per pay period is not authorized. National Guard technicians must be given Compensatory Time in lieu of overtime pay.

g. Night Shift Differential. A Federal Wage System technician is entitled to pay at their scheduled rate plus a differential of seven and a half percent of that scheduled rate when a majority of work hours occur between 1500 and 2400; or 10% of their scheduled rate when a majority of work hours occur between 2300 and 0800. (Majority of hours is defined as a number of whole hours greater than one-half, including meal break, e.g., 5 hours of a scheduled 8-hour shift). A technician regularly assigned to a shift for which a night shift differential is payable shall be paid the night shift differential for a period of excused absence on a legal holiday, during a period of leave with pay and

while in official travel status, regardless of whether the technician is performing work.

h. Holiday Pay. When a technician performs work on a designated Federal holiday they are entitled to pay at the rate of basic pay plus premium pay at a rate equal to the rate of basic pay for holiday work which is not in excess of 8 hours. A technician who is required to perform any work on a designated holiday is entitled to pay for at least two hours of holiday work.

i. Environmental Differential Pay is authorized as described in TP Plan 500.

4-4 GRADE RETENTION:

a. A General Schedule or Wage Schedule technician who is placed in a lower graded position may be entitled to grade retention if:

(1) Action is a result of reclassification and position being reduced had been classified at a higher grade(s) for a continuous period of at least one year immediately before the reduction, or

(2) Action is a result of reduction-in-force and the technician served for 52 consecutive weeks or more at a grade, or grades, higher than that of the position in which placed.

b. A technician will be entitled to grade retention for a period of two years, provided that during the period of grade retention;

(1) There is not a break in service of one (1) workday or more, or

(2) Technician is not further demoted for personal cause or at technician's request, or

(3) Technician is not placed in, or declines a reasonable offer of, a position with a grade equal to or higher than the retained grade, or

(4) Technician does not elect in writing to terminate the benefits of grade retention.

c. A technician authorized Grade Retention will receive basic pay equivalent to the basic pay they were receiving immediately prior to entering Grade Retention.

d. While on Grade Retention, a technician will receive any within-grade increases and all annual pay adjustments they would have been entitled to have the action that placed them on Grade Retention not taken place.

4-5 PAY RETENTION:

a. A technician will receive pay retention when their basic pay would be reduced as a result of;

(1) The expiration of the two year period of grade retention, or

(2) Reduction-in-force or reclassification when the technician does not meet the eligibility requirement for grade retention, or

(3) Reduction or elimination of scheduled rates or special rates, but not as a result of -

(a) A statutory reduction in scheduled rates of pay under the General Schedule (No pay retention if Congress decided that all of General Schedule would take a reduction in pay), or

(b) A statutory reduction in the Federal Wage System (No pay retention if Congress decided that all of Federal Wage System would take a reduction in pay. Pay retention would apply if after a wage survey the pay schedule for that wage area was reduced.

(4) Involuntary (other than for cause) placement of a special rate employee into a non-special rate position or into a lower special rate position, or

(5) Involuntary (other than for cause) placement of a technician into a position in a lower Federal Wage System wage area or into a position in a different pay schedule, or

(6) Placement of a technician into a formal employee development program, i.e., Upward Mobility Program. Pay retention may also be granted at the discretion of The Adjutant General of Illinois in cases where an eligible technician would have their rate of basic pay reduced as a result of a management action, or to fill certain positions as authorized by the National Guard Bureau.

b. A technician authorized Pay Retention will receive a basic pay amount equal to the basic pay they were receiving immediately before entering Pay Retention, provided that amount does not exceed 150% of the maximum rate of basic pay for the new grade.

c. While on Pay Retention, a technician will receive 50% of future annual pay adjustments, for the maximum rate of basic pay for the new grade, until such time their basic pay is equal to or is exceeded by the basic pay for the maximum step for the new grade.

d. A technician's eligibility for Pay Retention ceases when one of the following conditions occurs;

(1) There is a break in service of one or more workdays.

(2) The technician becomes entitled to a rate of basic pay which is equal to or higher than, or declines a reasonable offer of a position the rate of basic pay for which is equal to or higher than, the rate to which the technician is entitled under Pay Retention.

(3) The technician is demoted for personal cause or at the technician's request.

4-6 HIGHEST PREVIOUS RATE RULE: When a person has held a higher grade or has earned a higher rate of pay as a National Guard technician or as an employee of another Federal agency and is now selected for a technician position at a lower grade or pay rate, they may be entitled to have pay fixed under the Highest Previous Rate rule. A special salary rate can only be used as Highest Previous Rate under certain circumstances, and will be considered on a case-by-case basis. The following policy applies to Army and Air technicians in the General Schedule and Federal Wage System:

Upon Appointment, Reappointment, Transfer, Reinstatement, or Conversion thereto, and upon Promotion, Reassignment or Change to Lower Grade those technicians eligible for highest previous rate will have their pay computed at the minimum rate following normal pay fixing regulations and at the maximum rate following the highest previous rate rules. The results of these

computations will be available to the selecting official in order that they may set the rate of pay, within the computed parameters, that is commensurate with experience, seniority, morale of fellow workers, and mission accomplishments. A rate received in a position to which the employee was temporarily promoted for a period in excess of one year, and those temporary promotions of less than 1 year duration that were made permanent, will be used to compute highest previous rate. In no other instance will a rate of pay earned solely under a temporary action be the basis for a highest previous rate.

4-7 SEVERANCE PAY: When a technician has been employed for a continuous period of at least 12 months and is separated involuntarily, not by removal for cause on charges of misconduct, delinquency or inefficiency, they may be entitled to severance pay unless they are entitled to an immediate annuity. As a general rule involuntary military separation because of ROPA and selective retention would permit receipt of severance pay whereas loss of military membership because of failure to meet weight control or positive drug test results arising from scheduled or unannounced testing have been determined to be voluntary separations and as such would bar receipt of severance pay.